

## OPINION 632

REGINA BAIRD & GIRARD, 1853 (REPTILIA) ; DESIGNATION OF  
A TYPE-SPECIES UNDER THE PLENARY POWERS

**RULING.**—(1) Under the plenary powers :

- (a) the specific name *leberis* Linnaeus, 1758, as published in the binomen *Coluber leberis*, is hereby suppressed for the purposes of the Law of Priority but not for those of the Law of Homonymy ;
- (b) all designations of type-species for the nominal genus *Regina* Baird & Girard, 1853, made prior to the present Ruling are hereby set aside, and the nominal species *Coluber septemvittatus* Say, 1825, is hereby designated to be the type-species of that genus.

(2) The following generic names are hereby placed on the Official List of Generic Names in Zoology with the Name Numbers specified :

- (a) *Regina* Baird & Girard, 1853 (gender : feminine), type-species, by designation under the plenary powers in (1)(b) above, *Coluber septemvittatus* Say, 1825 (Name No. 1479) ;
- (b) *Storeria* Baird & Girard, 1853 (gender : feminine), type-species, by original designation, *Tropidonotus dekayi* Holbrook, 1842 (Name No. 1480).

(3) The following specific names are hereby placed on the Official List of Specific Names in Zoology with the Name Numbers specified :

- (a) *septemvittatus* Say, 1825, as published in the binomen *Coluber septemvittatus* (type-species of *Regina* Baird & Girard, 1853) (Name No. 1814) ;
- (b) *dekayi* Holbrook, 1842, as published in the binomen *Tropidonotus dekayi* (type-species of *Storeria* Baird & Girard, 1853) (Name No. 1815) ;
- (c) *occipitomaculatus* Storer, 1839, as published in the binomen *Coluber occipitomaculatus* (Name No. 1816).

(4) The specific name *leberis* Linnaeus, 1758, as published in the binomen *Coluber leberis* (as suppressed under the plenary powers in (1)(a) above) is hereby placed on the Official Index of Rejected and Invalid Specific Names in Zoology with the Name No. 699.

(5) The following generic names are hereby placed on the Official Index of Rejected and Invalid Generic Names in Zoology with the Name Numbers specified :

- (a) *Cora* Bonaparte, 1854 (a junior homonym of *Cora* Selys, 1853) (Name No. 1554) ;
- (b) *Cora* Jan, 1863 (a junior homonym of *Cora* Selys, 1853) (Name No. 1555).

## HISTORY OF THE CASE (Z.N.(S.) 1443)

The present case was submitted by Professor Hobart M. Smith and Dr. James E. Huheey on 31 October 1959. After slight revision it was sent to the printer on 28 March 1960 and was published on 16 September 1960 in *Bull. zool. Nomencl.* 17 : 346-348. Public Notice of the possible use by the

Commission of its plenary powers in the present case was given in the same part of the *Bulletin* as well as to the other prescribed serial publications (*Bull. zool. Nomencl.* 4 : 51-56) and to two herpetological serials. Opposition to the use of the plenary powers was expressed by Dr. E. Raymond Hall.

### DECISION OF THE COMMISSION

On 3 July 1961 the Members of the Commission were invited to vote under the Three-Month Rule on Voting Paper (61)21 either for or against the proposals set out in *Bull. zool. Nomencl.* 17 : 347-348. At the close of the prescribed voting period on 3 October 1961 the state of the voting was as follows :

Affirmative Votes—eighteen (18), received in the following order : Boschma, Holthuis, Lemche, Munroe, Mayr, Vokes, Obruchev, Key, Hering, Prantl, Hemming, Riley, Jaczewski, Mertens, Brinck, Kühnelt, Bonnet, Alvarado.

Negative Votes—four (4) : do Amaral, Uchida, Tortonese, Poll.

On Leave of Absence—three (3) : Evans, Miller, Stoll.

Commissioner Poll returned the following comment with his Voting Paper : "Je vote contre car je crois comprendre que *C. leberis* peut être utilisé à la place de *C. occipitomaculatus* et *C. leberis* ne doit donc pas tomber en synonymie."

Commissioner Bradley returned his Voting Paper, having voted against proposals (1)(a) and (4) only, with the following comment : "On the grounds of misidentification of the type-species, I am willing to vote to correct the application of the name *Regina* to the taxonomic genus containing *septemvittatus* Say. The substitution of the Linnean name *leberis* for *occipitomaculatus* can cause no confusion, and the plenary powers should not be invoked to prevent it. However it seems possible that *leberis* Linnaeus has not been used as a senior synonym of *occipitomaculatus* for a period of more than fifty years, in which case it has become a *nomen oblitum* under action taken at London."

It may well be that *Coluber leberis* Linnaeus is a *nomen oblitum* in the sense of the Code as revised at the London Congress 1958. The provisions of this Code however, have not been regarded as coming into force until its publication. At the time of publication of the present case the Code was not published, nor was there any prospect of its being published in the very near future.

### ORIGINAL REFERENCES

The following are the original references for the names placed on Official Lists and Indexes by the Ruling given in the present Opinion :

*Cora* Bonaparte, 1854, *Ann. Sci. nat.*, Paris (4) 1(3) : 138

*Cora* Jan, 1863, *Elenco Sist. Ofidi* : 74

*dekayi*, *Tropidonotus*, Holbrook, 1842, *N. Amer. Herpet.* 4 : 54

*leberis*, *Coluber*, Linnaeus, 1758, *Syst. Nat.* (ed. 10) 1 : 216

*occipitomaculatus*, *Coluber*, Storer, 1839, *Rept. Mass.* : 230

*Regina* Baird & Girard, 1853, *Cat. N. Amer. Rept.* : 45

*septemvittatus*, *Coluber*, Say, 1825, *J. Acad. nat. Sci. Philad.* 4 : 240

*Storeria* Baird & Girard, 1853, *Cat. N. Amer. Rept.* : 135

CERTIFICATE

WE certify that the votes cast on Voting Paper (61)21 were cast as set out above, that the proposal set out in that Voting Paper has been duly adopted under the plenary powers, and that the decision so taken, being the decision of the International Commission, is truly recorded in the present Opinion No. 632.

N. D. RILEY  
Secretary

*International Commission on Zoological Nomenclature*

W. E. CHINA  
Assistant Secretary

London  
24 October 1961

COMMENTS ON THE PROPOSED DESIGNATION OF A TYPE-SPECIES FOR  
*XENOSTEGIUM* WALCOTT, 1924. Z.N.(S.) 914

(see volume 18, pages 332-333)

By Alan B. Shaw (*Pan American Petroleum Corporation, Tulsa 2, Oklahoma, U.S.A.*)

I have received an off-print of the proposal by R. J. Ross, Jr., to designate *Megalaspis belemnurus* White, 1874, as the type-species of *Xenostegium* Walcott, 1924. Inasmuch as the proposals made by Dr. Ross would result in official recognition of current practice and promote nomenclatorial stability, I wish to recommend that the Commission act favourably on the three requests in Dr. Ross's proposal.

By H. B. Whittington (*Museum of Comparative Zoology, Harvard College, Cambridge, Mass., U.S.A.*)

I am glad to see this proposal which was foreshadowed in the *Treatise on Invertebrate Paleontology*: 0 353, in print. I write to express my approval of, and support for, this proposal.

By J. T. Temple (*Birkbeck College, London*)

I am writing to support the application of R. J. Ross to designate *Megalaspis belemnurus* White, 1874, as type-species of *Xenostegium* Walcott, 1924. I consider that this action will be in the best interests of nomenclatorial stability.